

REMARKS

In the last Office Action, claims 1-4 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,358,668 to Post et al. ("Post") in view of U.S. Patent No. 5,921,827 to Ichihashi. Claims 5 and 7-9 were objected to as being dependent upon a rejected base claim, but indicated to be allowable if rewritten in independent form including all of the limitations of the base and intervening claims. Additional art was cited of interest.

Applicants and applicants' counsel note with appreciation the indication of allowable subject matter concerning claims 5 and 7-9. However, for the reasons noted below, applicants respectfully submit that newly added claims 10-22 also patentably distinguish from the prior art of record.

In accordance with this response, the specification has been suitably revised to correct informalities, provide antecedent basis for the claim language, and bring it into better conformance with U.S. practice. Original claims 1-9 have been replaced with new claims 10-17 to further patentably distinguish from the prior art of record, improve the wording, and bring the original claims into better conformance with U.S. practice. New claims 18-22 have been added to provide a fuller scope of coverage. A new abstract which more clearly

reflects the invention to which the new claims are directed has been substituted for the original abstract.

Applicants respectfully submit that the prior art of record does not disclose or suggest the subject matter recited in newly added claims 10-22.

New independent claim 10 is directed to an outboard motor. With reference to the embodiment shown in Figs. 1-16, the outboard motor 1 has an engine 2, a propeller 9 drivable by the engine 2, and a drive shaft 7 for transmitting a driving force from the engine 2 to the propeller 9. A casing assembly 4, 5, 13, 14 supports the engine 2 and rotatably supports and accommodates the drive shaft 7.

According to the present invention, a cover structure defines at least part of an engine space 12 accommodating therein the engine 2. The cover structure has a resin cover body 20 comprised of at least first and second cover members 21, 31 and 4, respectively, detachably connected to one another and a frame assembly 22, 25-29 integrally connected to an inner surface of the first cover member 21 for reinforcement thereof. The first cover member 21, 31 has an opened flange 23, 33 receiving a seal 19 of the second cover member 4. The frame assembly 22, 25-29 extends along a contour of the opened flange 23, 33.

By the foregoing construction, the cover structure defining at least part of the engine space for accommodating therein the engine has increased rigidity and is more compact than conventional engine cover structures as described in the specification (pgs. 1-2). Furthermore, by providing one of the cover members of the cover structure with an opened flange for receiving a seal of the other cover member, a simplified rigid structure is achieved which provides both a sealing function and a connecting function.

The cited reference to Post discloses an outboard motor having an engine 7, a propeller 8, a drive shaft housing 6 for supporting the engine, and a cover structure 9 suspended on a supporting frame assembly 13 (Figs. 2, 3). The cover structure has a cover body comprised of an upper cowl member 10, a lower cowl member 11, and an intermediate cowl member 12. The upper and lower cowl members 10, 11 have annular flanges 65, 66, respectively. The intermediate cover member 12 is disposed over the flanges 65, 66. Toggle clamps 69 draw edges of the intermediate cowl member toward each other to secure the intermediate cover member 12 relative to the upper and lower cover members 10, 11.

However, Post does not disclose or suggest that one of the cover members has an opened flange which receives therein a seal of another of the cover members, as required by

independent claim 10. While disclosing that the cover members 10-12 are connected together via the flanges 65, 66 and the toggle clamps 69, Post does not disclose or suggest that one of the cover members has a seal which is received by an opened flange of another of the cover members.

Moreover, Post does not disclose or suggest a frame assembly extending along a contour of an opened flange of one of cover members, as required by independent claim 10. The annular flanges 65, 66 in Post clearly do not extend along a contour of the frame assembly 13.

Ichihashi discloses an outboard motor having an undercover 23 and a bottom cover member 54 formed from a synthetic resin material (Fig. 3). However, Ichihashi clearly does not disclose or suggest the specific structural combination of the outboard motor recited in independent claim 10, including a cover structure having a resin cover body comprised of at least first and second cover members detachably connected to one another and a frame assembly integrally connected to an inner surface of the first cover member for reinforcement thereof, the first cover member having an opened flange receiving a seal of the second cover member, and the frame assembly extending along a contour of the opened flange.

Claims 11-13 depend on and contain all of the limitations of independent claim 10 and, therefore, distinguish from Post and Ichihashi at least in the same manner as claim 10.

New independent claim 14 is directed to the subject matter of allowable claim 7 and, therefore, is also allowable over the prior art of record. Claims 15-16 depend on and contain all of the limitations of allowable claim 14 and, therefore, are also allowable.

New independent claim 17 is directed to the subject matter of allowable claim 5 and, therefore, is also allowable over the prior art of record.

New independent claim 18 is directed to the combination of an outboard motor having an engine and a cover structure for covering the engine, the cover structure having a mounting case for supporting the engine, the mounting case having a flange portion and a seal member disposed on the flange portion. Claim 18 further requires that the cover structure has a first cover member for covering an upper portion of the engine, a second cover member connected to the first cover member for covering the mounting case and a lower portion of the engine, and a plurality of reinforcing frame members connected to inner surfaces of the second cover member for reinforcing the second cover member, at least one of the

reinforcing frame members having a groove for receiving therein at least a portion of the mounting case seal member.

The prior art of record does not disclose or suggest the structural combination recited in new independent claim 18. For example, in Post an extension member 58 extends around the sides and rear of the drive shaft housing or mounting case 6 which supports the engine 7 (Fig. 2). The extension member 58 has a flange 60 disposed in spaced relation from an adjacent portion of the mounting case 6. A sealing strip 62 extends around the rear of the mounting case 6 immediately adjacent to the flange 60.

Thus the flange in Post corresponds to the extension member 58, not to the mounting case 6. In contrast, claim 18 requires a mounting case having a flange portion and a seal member disposed on the flange portion.

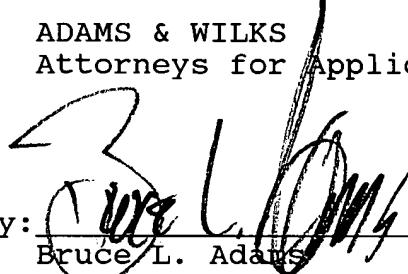
Moreover, Post does not disclose or suggest reinforcing frame members connected to inner surfaces of the second cover member for reinforcing the second cover member, at least one of the reinforcing frame members having a groove for receiving therein at least a portion of the mounting case seal member, as recited in claim 18. In Post, none of the reinforcing frame members of the frame assembly 13 has a groove for receiving at least a portion of a mounting case seal member, as recited in claim 18.

Claims 19-22 depend on and contain all of the limitations of independent claim 18 and, therefore, distinguish from the prior art of record at least in the same manner as claim 18.

In view of the foregoing amendments and discussions, the application is now believed to be in allowable form. Accordingly, favorable reconsideration and passage of the application to issue are respectfully requested.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By: 
Bruce L. Adams

Reg. No. 25,386

50 Broadway
31st Floor
New York, NY 10004
(212) 809-3700

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Debra Buonincontri

Name

Debra Buonincontri

Signature

October 25, 2004

Date